

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

ARTHUR LEE GIVENS,)	
)	
Plaintiff,)	
)	
v.)	1:23CV609
)	
SCOTLAND CORRECTIONAL)	
INSTITUTION,)	
)	
Defendant.)	

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on August 1, 2023, was served on the parties in this action. (ECF Nos. 3, 4.) Plaintiff filed objections to the Magistrate Judge's Recommendation. (See ECF No. 5.) The Court has appropriately reviewed the Magistrate Judge's Recommendation and has made a *de novo* determination in accord with the Magistrate Judge's Recommendation. The Court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action is **DISMISSED** *sua sponte* without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, which corrects the defects cited in the Magistrate Judge's Recommendation.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This, the 1st day of September 2023.

/s/ Loretta C. Biggs
United States District Judge